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FACSIMILE COVER SHEET

DATE: January 9, 2007
FILE NO: ROC920010193US2 (IBMK10194)
TO: MAIL STOP AF
Examiner Joseph E. Avellino
FAX NO: 1-571-273-8300
FROM: Gero G. McClellan / Jon K. Stewart
PAGE(S) with cover: 3

RE:

TITLE: METHOD FOR DETERMINING ON DEMAND RIGHT SIZE BUFFERING
WITHIN A SOCKET SERVER IMPLEMENTATION

U.S. SERIAL NO.: 10/038,008
FILING DATE: January 4, 2002
INVENTOR(S): Bauman et al.
EXAMINER: Joseph E. Avellino
GROUP ART UNIT: 2143
CONFIRMATION NO.: 6602

Attached are the following document(s) for the above-referenced application:

Notice of Appeal (with correct selection box marked)
and
Copy to charge Deposit Account No.: 09-0465 / ROC920010193US2.

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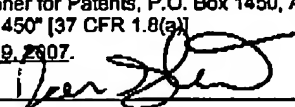
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PTO/SB/31 (04-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) ROC920010193US2								
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>January 9, 2007</u> . Signature  Typed or printed name <u>Jon K. Stewart</u>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2" style="padding: 2px;">In re Application of Mark Linus Bauman</td> </tr> <tr> <td style="width: 50%; padding: 2px;">Application Number 10/038,008</td> <td style="width: 50%; padding: 2px;">Filed January 4, 2002</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For METHOD FOR DETERMINING ON DEMAND RIGHT SIZE BUFFERING WITHIN A SOCKET SERVER IMPLEMENTATION</td> </tr> <tr> <td style="padding: 2px;">Art Unit 2143</td> <td style="padding: 2px;">Examiner Joseph E. Avellino</td> </tr> </table>		In re Application of Mark Linus Bauman		Application Number 10/038,008	Filed January 4, 2002	For METHOD FOR DETERMINING ON DEMAND RIGHT SIZE BUFFERING WITHIN A SOCKET SERVER IMPLEMENTATION		Art Unit 2143	Examiner Joseph E. Avellino
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For METHOD FOR DETERMINING ON DEMAND RIGHT SIZE BUFFERING WITHIN A SOCKET SERVER IMPLEMENTATION										
Art Unit 2143	Examiner Joseph E. Avellino									
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner. The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500										
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ <input type="checkbox"/> A check in the amount of the fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>09-0465 / ROC920010193US2</u> . I have enclosed a duplicate copy of this sheet. <input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.										
<table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,227</u>. <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____ </td> <td style="width: 50%; vertical-align: top; text-align: center;"> <u>/Gero G. McClellan, Reg. No. 44,227/</u> _____ Signature Gero G. McClellan _____ Typed or printed name 713-623-4844 _____ Telephone number January 9, 2007 _____ Date </td> </tr> </table>			I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>44,227</u> . <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____	<u>/Gero G. McClellan, Reg. No. 44,227/</u> _____ Signature Gero G. McClellan _____ Typed or printed name 713-623-4844 _____ Telephone number January 9, 2007 _____ Date						
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NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.										

☐ *Total of ___ forms are submitted.

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